

UNITED STATE DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA

LISA LAGUNAS,  
PLAINTIFF,

V.

CIVIL ACTION NO.: 1:16-CV-2428

COLLECTION SERVICES OF  
ATHENS, INC.,  
DEFENDANT.

NOW COMES COLLECTION SERVICES OF ATHENS, INC. (“Defendant”) and  
hereby files its Answer in the above captioned cases as follows

**FIRST DEFENSE**

Plaintiff’s Complaint fails to state a claim against Defendant upon which relief can be  
granted.

**SECOND DEFENSE**

Plaintiff’s claims are barred by the doctrine of waiver.

**THIRD DEFENSE**

Plaintiff’s claims are barred by the doctrine of estoppel.

**FOURTH DEFENSE**

Insofar as the evidence adduced may authorize, Defendant asserts  
the defense of unclean hands.

**FIFTH DEFENSE**

Insofar as the evidence adduced may authorize, Defendant asserts the defense of *in pari  
delicto*.

**SIXTH DEFENSE**

Insofar as the evidence adduced may authorize, Defendant asserts the defense of laches.

**SEVENTH DEFENSE**

Plaintiff's claims are barred, in whole or in part, because of the failure of a condition precedent.

**EIGHTH DEFENSE**

At all times, Defendant has acted in good faith toward Plaintiff.

**NINTH DEFENSE**

Defendant reserves the right to raise additional affirmative defenses as may be discovered during the course of these proceedings.

**TENTH DEFENSE**

Except as specifically admitted below, Defendant denies each and every allegation in the Complaint.

**ANSWER**

Defendant answers each of the numbered paragraphs of the Complaint as follows:

1. Defendant denies the allegations contained in Paragraph 1 of the Complaint as stated.
2. Defendant admits the allegations contained in Paragraph 2 of the Complaint as stated.
3. Defendant admits the allegations contained in Paragraph 2 of the Complaint as stated.
4. Defendant admits the allegations contained in Paragraph 2 of the Complaint as stated.
5. Defendant is without information or belief to admit or denies the allegations contained in Paragraph 5 of the Complaint; therefore, said allegation is denied.

6. Defendant is without information or belief to admit or denies the allegations contained in Paragraph 6 of the Complaint; therefore, said allegation is denied.
7. Defendant is without information or belief to admit or denies the allegations contained in Paragraph 7 of the Complaint; therefore, said allegation is denied.
8. Defendant admits the allegations contained in Paragraph 8 of the Complaint as stated.
9. Defendant denies the allegations contained in Paragraph 9 of the Complaint as stated.
10. Defendant admits the allegations contained in Paragraph 10 of the Complaint as stated.
11. Defendant admits the allegations contained in Paragraph 11 of the Complaint as stated.
12. Defendant admits the allegations contained in Paragraph 12 of the Complaint as stated.
13. Defendant denies the allegations contained in Paragraph 13 of the Complaint as stated.
14. Defendant denies the allegations contained in Paragraph 14 of the Complaint as stated.
15. Defendant denies the allegations contained in Paragraph 15 of the Complaint as stated.
16. Defendant is without information or belief to admit or denies the allegations contained in Paragraph 16 of the Complaint; therefore, said allegation is denied.

17. Defendant is without information or belief to admit or denies the allegations contained in Paragraph 17 of the Complaint; therefore, said allegation is denied.
18. Defendant is without information or belief to admit or denies the allegations contained in Paragraph 18 of the Complaint; therefore, said allegation is denied.
19. Defendant denies the allegations contained in Paragraph 19 of the Complaint as stated.
20. Defendant denies the allegations contained in Paragraph 20 of the Complaint as stated.
21. Defendant denies the allegations contained in Paragraph 21 of the Complaint as stated.
22. Defendant denies the allegations contained in Paragraph 22 of the Complaint as stated.
23. Defendant denies the allegations contained in Paragraph 23 of the Complaint as stated.
24. Defendant denies the allegations contained in Paragraph 24 of the Complaint as stated.
25. Defendant denies the allegations contained in Paragraph 25 of the Complaint as stated.
26. Defendant denies the allegations contained in Paragraph 26 of the Complaint as stated.
27. Defendant denies the allegations contained in Paragraph 27 of the Complaint as stated.

28. Defendant denies the allegations contained in Paragraph 28 of the Complaint as stated.

29. Defendant denies the allegations contained in Paragraph 29 of the Complaint as stated.

30. Defendant denies the allegations contained in Paragraph 30 of the Complaint as stated.

31. Defendant denies the allegations contained in Paragraph 31 of the Complaint as stated.

32. Defendant denies the allegations contained in Paragraph 32 of the Complaint as stated.

33. Defendant denies the allegations contained in Paragraph 33 of the Complaint as stated.

22. Defendant restate and reaffirm the allegations contained in Paragraphs 1-21, above, as if restated verbatim herein.

23. Plaintiff is hereby given notice pursuant to O.C.G.A. § 51-7-80, et seq. that if the Defendant prevails at trial in this matter the Defendant will request this court for an award of actual attorney's fees.

24. Specifically, it is Defendant's position that the Motion has been filed without supporting facts or supported by law.

25. The allegations put forth in this Complaint are without substantial justification as defined by O.C.G.A Section 51-7-80, et seq.

26. The allegations contained therein are frivolous and groundless in facts and in law and are extremely vexations.

27. This action has been filed for the wrongful purpose and are an attempt to intimidate and harass Defendant.

28. The continuation of this litigation by the Plaintiff is without substantial justification.

29. Accordingly, the Plaintiff is hereby informed that unless the Plaintiff withdrawal the Motions prior to the ruling by the Court, the Plaintiff will be subject to the provisions of O.C.G.A. Section 51-7-83 and other applicable laws in the State of Georgia governing abusive litigation.

WHEREFORE, Defendants pray for relief as follows:

- a. That the Court dismiss the Plaintiff's Complaint, and each and every claim and count thereof, with prejudice, that judgment be entered in favor of the Defendant, and that Plaintiff take nothing by this action;
- b. Plaintiff is hereby given notice pursuant to O.C.G.A. § 51-7-80, et seq. that if the Defendant prevail at trial in this matter the Defendant will request this court for an award of actual attorney's fees; and
- c. Such other and further relief as this Court deems just and proper.

This 7th day of July, 2016

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GA Bar No. 102150

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**LISA LAGUNAS,  
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**COLLECTION SERVICES OF  
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**CIVIL ACTION NO.: 1:16-CV-2428**

**CERTIFICATE OF SERVICE**

The undersigned counsel for **COLLECTION SERVICES OF ATHENS, INC** (“Defendant”) in the above-styled action hereby certifies that he has this day served a copy of the **ANSWER** on the following by depositing same in the United States Mail in properly addressed envelopes with adequate postage to:

Shireen Hormozdi  
Hormozdi Law Firm, LLC  
1770 Indian Trail Lilburn Road, Suite 175  
Norcross, Georgia 30093

This 7th day of July, 2016

Law Offices of Adam M. Cain, LLC  
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[amcain@adamcainlaw.com](mailto:amcain@adamcainlaw.com)



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